### IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

ABBOTT CARDIOVASCULAR	)
SYSTEMS, INC. and ABBOTT	)
LABORATORIES, INC.,	)
Plaintiffs,	) C.A. No. 98-80 (SLR)
V.	(Consolidated with C.A. No. 98-314 (SLR) and C.A. No. 98-316 (SLR))
MEDTRONIC VASCULAR, INC. and	)
MEDTRONIC USA, INC.,	)
Defendants.	)
	) \
	j

### **NOTICE OF SERVICE**

PLEASE TAKE NOTICE that on August 17, 2007, copies of Defendants' Second Request for Production of Documents and Things Regarding the eBay Factors were served on the following counsel in the manner indicated:

# BY ELECTRONIC MAIL and HAND DELIVERY

Frederick L. Cottrell, III Richards Layton & Finger P.O. Box 551 One Rodney Square Wilmington, DE 19899

# BY ELECTRONIC and FIRST CLASS MAIL

J. Michael Jakes Michael A. Morin Finnegan Henderson Farabow Garrett & Dunner 901 New York Avenue Washington, D.C. 20001-4413

### MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Richard J. Bauer

Karen Jacobs Louden (#2881) Leslie A. Polizoti (#4299) Richard J. Bauer (#4828) 1201 North Market Street P.O. Box 1347 Wilmington, DE 19899-1347 (302) 658-9200 Attorneys for Medtronic Vascular, Inc. and Medtronic USA, Inc.

### OF COUNSEL:

Kevin S. Rosen Matthew A. Hoffman Anthony S. Newman GIBSON, DUNN & CRUTCHER LLP 333 South Grand Avenue Los Angeles, CA 90071-3197 (213) 229-7000

George M. Sirilla William P. Atkins PILLSBURY WINTHROP SHAW PITTMAN LLP 1650 Tysons Boulevard McLean, VA 22102 (703) 770-7900

August 17, 2007

382448

#### **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on August 17, 2007 I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to:

> Frederick L. Cottrell, III Anne Shea Gaza Richard Layton & Finger

I further certify that on August 17, 2007 I served copies of the foregoing to the following counsel in the manner indicated:

# BY ELECTRONIC MAIL and HAND DELIVERY

Frederick L. Cottrell, III Anne Shea Gaza Richards Layton & Finger One Rodney Square P.O. Box 551 Wilmington, DE 19899

### BY ELECTRONIC and FIRST CLASS MAIL

J. Michael Jakes Michael A. Morin Finnegan Henderson Farabow Garrett & Dunner LLP 901 New York Avenue, NW Washington, DC 20001-4413

/s/ Richard J. Bauer

Richard J. Bauer (#4828) rbauer@mnat.com